## TABERNACLE TOWNSHIP COMMITTEE TOWN HALL MINUTES OF OCTOBER 26, 2015

The meeting of the Tabernacle Township Committee was called to order at 8:00 p.m. by Deputy Mayor Richard J. Franzen followed by the flag salute. The following statement was read by the Municipal Clerk:

**Sunshine Notice:** This meeting is called pursuant to the Open Public Meetings Act. This meeting of October 26, 2015 was included in a list of notices sent to the Central Record, Burlington County Times and Courier Post. Posted on the bulletin board in Town Hall and has remained continuously posted as the required notices under the statute. In addition, a copy of this notice is and has been available to the public, and is on file in the office of the Municipal Clerk.

**ROLL CALL:** The following roll call was taken by the Municipal Clerk:

Joseph W. Barton, Township Committee - Present Richard J. Franzen, Deputy Mayor - Present Stephen V. Lee, IV, Township Committee - Present Joseph Yates, IV, Township Committee - Present Kimberly A. Brown, Mayor - Absent

**PROFESSIONALS**: Also present were Township Administrator Douglas Cramer, Township Engineer Frank S. Morris Engineer, Chief Finance Officer Terry Henry, Township Attorney Peter C. Lange, Jr. and Municipal Clerk La Shawn R. Barber.

#### PUBLIC COMMENT ON AGENDA ITEMS ONLY

Stuart Brooks, Moores Meadow Road, spoke of a prior meeting agenda item for emergency services as it was not scheduled for this meeting. Mr. Brooks made comments regarding the website posting for Ordinance 2015-11 and Resolution 2015-140.

Jason Litowitz, Horseshoe Court, spoke about a correction needed for Resolution 2015; the maturity date should read 2015.

Fran Brooks, Moores Meadow Road, spoke about Resolution 2015-140 and questioned the purpose of the emergency note and cost of Bond Counsel.

CFO Henry spoke of the \$200,000 special emergency note for the re-valuation which was done in year 2013. We are paying down \$40,000 every year, so this is just rolling it down. A new note, plus our \$40,000 is to pay for the previous note. Each year the next one will be \$80,000, and the following year will be \$40,000 less until it is paid off. The Bond Counsel is roughly \$600 plus \$1000 interest. The current interest for the new note is .98%.

### SUBMISSION OF BILLS

Authorizing payment of bills was made by Committeeman Lee, seconded by Committeeman Yates and approved by the following roll call vote; Barton, Lee, Yates, Franzen; yea.

Brown; absent

Mr. Lee and Mr. Cramer spoke about the snack stand billing and remaining final inspections.

#### APPROVAL OF MINUTES

The minutes of **September 28, 2015** were offered upon a motion by Committeeman Lee, seconded by Committeeman Barton and approved by the following roll call vote; Barton, Lee, Yates, Franzen; yea Brown; absent

The minutes of **October 13, 2015** were offered upon a motion by Committeeman Barton, seconded by Committeeman Lee and approved by the following roll call vote; Barton, Lee, Franzen; yea. – Mr. Yates; abstained

Brown; absent

#### **ORDINANCE - Second Reading**

2015-11: AN ORDINANCE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, DESIGNATING AND OFFICIALLY AUTHORIZING TABERNACLE FIRE COMPANY NO. 1 AS THE VOLUNTEER FIREFIGHTING ORGANIZATION FOR THE TOWNSHIP OF TABERNACLE

Deputy Mayor Franzen asked if there were any comments from the public.

John Cooper, Woodside Drive, spoke about the fire company not having a LOSAP agreement with the Township and the current agreement which is in existence was created with the fire district. This agreement does not address the firefighter's certifications.

Committeeman Barton spoke of it being reasonable to know their qualifications.

Committeeman Yates spoke of emergency services and asked the Committee if they considered forming one organization for fire and rescue. He would like to sit down with the fire department and the squad to see if they think it is a possibility. He

believes it can save taxpayers money by forming one organization. Mr. Yates further added that he would like to see this ordinance tabled and wants the Committee to get together to form a sub-committee. He would like to chair the subcommittee and pick his co-chair to sit down and discuss everything for one organization.

Stuart Brooks, Moores Meadow Road, spoke about the current roster in the agreement required to be provided in January. He wants it clarified to also be provided every time it changes. Mr. Brooks spoke about the format of the LOSAP records credit being provided for attending meetings and chief reports. In regards to the use license, Mr. Brooks questioned the fire company's requirement to provide copies of certificate of insurances for alcohol liability and questioned the frequency allowed for the fire company to have their own periodic event where alcohol beverages are served. Mr. Brooks supports tabling the ordinance.

Mr. Cramer advised that certificate of insurances are in place prior to an event.

Fran Brooks, Moores Meadow Road, spoke about the itemization and questioned why we are giving the fire company \$90,000. Ms. Brooks was not favorable to the format how the LOSAP reports were provided, as there is no information she can relate to, codes or otherwise. Ms. Brooks questioned who wrote the contract agreements.

Mr. Cramer spoke about the budget amount of \$24,900 that Township gave to the fire company from the previous year. Some of it was under expended; some of it was over expended. We made our best budget estimate and that is where we came up with the \$60,000 to \$66,000. We were giving them the same money that Medford Farms Volunteer Company received for their own use. The secretary is Cheryl Smith.

Solicitor Lange indicated that he wrote the contracts based on his discussions with the Township Administrator. Committeeman Lee added input was received from two Committee members, as well as fifteen members of the executive board at the fire company that met twice to go over the agreement.

Jason Litowitz, Horseshoe Court, spoke about the comment Mr. Lee made during the first reading of the ordinance regarding working off the existing draft and highlighted changes. He wanted to know the specific changes.

Committeeman Lee addressed Mr. Litowitz's comment regarding the changes made to the ordinance as he met with Cramer and Committeeman Franzen with the fifteen member executive committee to go through every piece of the material in detail, line by line. Modifications were made addressing dates to the contract on the use agreements, as well as the contract for services. Credit was given to everyone involved. Everyone made an effort to insure that this would be an agreement we would both work with. It is an agreement between two organizations, the Township and between a non-profit volunteer company with some flexibility.

Kathy Burger, Woodside Drive, spoke of the annual accounting language in the facility use agreement, the financial report, and the need for the Township to receive a current roster of membership. She questioned if the fire company would have access to the wash bay. Ms. Burger commented that she is not sure how many municipalities are allowing alcoholic beverages on their premises, regardless of what type of premise. Most do not allow them in municipally owned parks.

Mr. Cramer spoke that Medford Township had the same situation with Union Fire House, until it was changed to offices upstairs and questioned Ms. Burger if they were ever sued. Ms. Burger spoke that she was not aware of any suits; however, even though they did not own the building, their town insured it. Ms. Burger indicated she did not agree with it.

Closed to the public.

Mr. Lange addressed Mr. Brooks' comment regarding the use of alcoholic beverages. It is clear in the facility use agreement that no alcoholic beverages shall be sold or consumed on the Premises except for special events when all necessary government consents for such consumption and/or sale including but not limited any required social affairs permits have been obtained from the New Jersey Alcoholic Beverage Control Commission. The Company shall obtain social affairs permits only for Company events if required by state regulation. Third party users shall obtain social affairs permits for events hosted by renters of the Premises. The required certificates of insurance or TULIP referenced above must evidence adequate insurance coverage insuring the Township and the Company against any liability which may result from serving of alcoholic beverages.

Committeeman Barton commented that he would like to see the facility agreement have a six month expiration clause if we serve notice. We should change the term of the agreement to provide firefighting service to match the license agreement, which would be for a six month notice, rather than a two year notice, and have it run concurrent with the facility use license agreement.

Committeeman Franzen spoke of the discussions regarding LOSAP and unsure how we can add that into the mix here.

Solicitor Lange spoke that the Township shall establish and maintain for the benefit of the members a length of service award program in accordance with the NJ Law, that the program should be funded entirely by the Township. The Township

Administrator shall approve all payments for such program upon confirmation of member participation by the Company Chief. There were some comments made about whether or not to go beyond that or accept the representations and certification of the Chief, and then require the Administrator to approve those credits and payments.

Committeeman Franzen spoke of hearing displeasure of how the formats of LOSAP reports are submitted.

Solicitor Lange addressed a change that can be made to Paragraph 9 for LOSAP to indicate the Township Administrator or the Chief and/or the Fire Company shall provide the Chief with LOSAP reports on a form to be prescribed by the Township Administrator; the Township Administrator shall, upon satisfactory provide confirmation to approve those payments.

Committeeman Barton spoke of the Administrator's approval rights of all payments and the authority before he approves the payments and have all the documentation to be satisfied that the credits were earned in whatever fashion.

Solicitor Lange spoke that the fire company in all fairness to them, went through a process and got to a product they thought would be right for adoption.

Solicitor Lange spoke of characterizing Mr. Barton's wishes. Some of the comments that were made with respect to the agreement for firefighting services were relevant to the timing of the reports and Mr. Barton's preference with respect to any modification to the language concerning the Chief's obligation is to make reports to the Township Committee.

Committeeman Barton spoke that he would like to see quarterly written reports.

Solicitor Lange: Mr. Lange spoke of the following motion by Mr. Barton is to modify the ordinance to accomplish the following changes to the proposed agreement for the provision of firefighting services. It is to make the term perpetual, but unilateral terminable by the Township upon 90-days written notice of termination. To further modify to indicate that written quarterly reports will be provided by the Chief, that in fact, an annual accounting would be provided by August 1<sup>st</sup>, and that a firefighting roster would be provided annually by January 30<sup>th</sup>, and upon any modification to the roster, and that the roster would list the current qualifications and certifications maintained by the members. And further, to modify the use and occupancy agreement to be also unilaterally terminal by the Committee upon 90-days written notice.

The above ordinance was offered upon a motion to *modify the language in the Ordinance* accordingly by Mr. Barton, seconded by Mr. Lee and adopted by the following roll call vote; Barton, Lee, Yates, Franzen; yea. Brown; absent

This above ordinance was offered upon a motion to *adopt on second reading with those modifications* by Mr. Barton, seconded by Mr. Yates and adopted by the following roll call vote: Barton, Lee, Yates, Franzen; yea.

Brown; absent

Committeeman Yates motioned to form a subcommittee that he would chair and would have Mr. Lee co-chair to explore the possibility of forming one emergency service organization for emergency squad, fire department. It would be a cost savings for the tax payers of the community.

Solicitor Lange indicated for the record that someone who should be principle involved in these discussions is not here, and that is Mayor Brown. The Committee would give her time to be involved and understand what has been talked about tonight; there are no decisions that are contemplated to be made.

Committeeman Yates added to have a member chief of the squad, chief of fire department or designee representative and Township Administrator to be part of this subcommittee for discussion.

Solicitor Lange spoke that the subcommittee would have the task of exploring the one company concept that has been discussed in connection with two members of the Township Committee, Township Administrator, members of the public or other interested parties including the chiefs and volunteers in order to try to do some consensus building, and see how the idea can move forward by addressing people's concern in order to ultimately make some recommendation to the Committee.

Solicitor Lange questioned if this Committee, in the course of a motion, would like to put a request for a soft date for turn around to report back at the end of the year or sooner.

Committeeman Lee spoke that it is important to have volunteers part of this discussion of moving forward having a long term solution and global change for emergency services in Tabernacle. Mr. Lee will accept the responsibility of being co-chair of the sub-committee and wanted to hear some input from Mayor Brown and include Emergency Management, Col. Lowe.

• The motion was made by Mr. Yates, seconded by Mr. Lee. Solicitor added that he would like them to look at the public safety director ordinances that he was directed to prepare to see how all that may or may not come together.

Roll call: Barton, Lee, Yates, Franzen Absent: Brown



# RESOLUTION NO. 2015-139: GRANTING BINGO AND RAFFLE LICENSES TO SENECA PARENTS GROUP

WHEREAS, the Seneca Parents Group has filed applications with the Township Committee for bingo and raffle licenses and the applicant has paid the proper fees for said licenses; and

WHEREAS, the Township Committee of the Township of Tabernacle believes that said applicant is qualified to conduct the bingos and raffles are bona fide active members of said organization, and that the bingos and raffles will be conducted in accordance with the Bingo and Raffle Licensing Law, N.J.S.A. 5:8-24 et seq. and the New Jersey Administrative Code 13:47; and

WHEREAS, the following Licenses are to be held at 110 Carranza Road, Tabernacle, NJ on the dates listed:

BA: 2015-03	Bingo	<b>December 10, 2015</b> Time: 6:00 PM – 9:00 PM	
RA:2015-17	On-Premise Draw 50/50 Cash	<b>December 10, 2015</b> Time: 6:00 PM – 9:00 PM	
RA:2015-18	On-Premise Draw Merchandise	<b>January 22, 2016</b> Time: 6:00 PM – 9:00 PM	

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Tabernacle, in the County of Burlington and State of New Jersey, as follow:

- 1. That the Township Committee hereby approves the issuance of the aforementioned Bingo and Raffle License.
- 2. That the Township Clerk is hereby authorized to issue said licenses on behalf of the Township of Tabernacle.
- The above Resolution was offered upon a motion by Mr. Lee seconded by Mr. Barton and adopted by the following roll call vote; Barton, Lee, Yates, Franzen; yea Brown; absent

RESOLUTION NO. 2015-140: RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$120,000 OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF TABERNACLE; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

#### BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to adopt ordinances authorizing special emergency appropriations for the contractually required severance liabilities resulting from the layoff or retirement of employees; and

WHEREAS, the Township Committee of the Township of Tabernacle, County of Burlington, New Jersey, has duly and finally adopted Ordinance 2013-3 ("Ordinance") appropriating the sum of \$200,000 to fund the revaluation of real property in the Township ("Project"); and

WHEREAS, Section 55 of the Local Budget Law, *N.J.S.A.* 40A:4-55, authorizes the Township to issue special emergency notes to finance the costs of the Project and requires the Township to pay, at maturity, one-fifth of the total amount authorized under the Ordinance; and

WHEREAS, the Township has heretofore issued its Special Emergency Notes of 2013, Series A in the principal amount of \$200,000 to temporarily finance the costs of the Project ("Prior Notes"); and

WHEREAS, the Prior Notes mature on November 3, 2014; and

WHEREAS, it is the desire of the Township to issue its special emergency notes in the principal amount of up to \$120,000, as further described in Exhibit "A", the proceeds of which, together with other available funds of the Township in the amount of \$40,000, will be used to repay the principal of the Prior Notes at maturity; and

WHEREAS, pursuant to the Local Budget Law and the Ordinance, it is the intent of the Township Committee to hereby authorize, approve and direct the issuance and sale of such special emergency notes for the Project as further described in Exhibit "A" attached hereto, to ratify and

confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TABERNACLE, COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the Township, to be designated, substantially, "Township of Tabernacle, County of Burlington, New Jersey, Special Emergency Notes of 2014, Series A" ("Notes"), in an aggregate principal amount of up to \$120,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Capehart & Scatchard P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

<u>Section 3.</u> At the next meeting of the Township Committee after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Township Committee, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, *N.J.S.A.* 40A:4-55(b).

<u>Section 5.</u> The Notes shall be issued in bearer form in denominations of \$50,000 or greater. The Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Township Clerk or Deputy Township Clerk.

<u>Section 6.</u> The Notes are ultimately payable from <u>ad valorem</u> taxes that shall be levied upon all taxable real property in the Township without limitation as to rate or amount.

Section 7. The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

<u>Section 8.</u> The Township hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. The Township hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2015 to December 31, 2015, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of

tax-exempt obligations issued by the Township: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 11. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Treasurer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 12. The Mayor, Chief Financial Officer, Treasurer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 13. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 14. This Resolution shall take effect immediately upon adoption this 26th day of October, 2015.

#### Exhibit "A"

Ordinance	Notes Authorized	Notes Outstanding	Available Funds	Notes to be
Number				Issued
2013-3	\$200,000	\$200,000	\$40,000	\$160,000

- The above Resolution was offered upon a motion by Mr. Yates seconded by Mr. Lee and adopted by the following roll call vote; Barton, Lee, Yates, Franzen; yea

  Brown; absent
- RESOLUTION 2015-141: Approving street opening permit for South Jersey Gas Company for 132 Flyatt Road, Block 802.01,
   Lot 32.07 was offered by Mr. Barton, seconded by Mr. Yates and approved by the following roll call vote; Barton, Lee, Yates,
   Franzen; yea Brown; absent
- RESOLUTION 2015-142: Approving street opening permit for South Jersey Gas Company for 148 Brace Lane, Block 1202, Lot 11; 146 Brace Lane, Block 1202, Lot 7.02; 147 Brace Lane, Block 1201, Lot 19.01; 150 Brace Lane, Block 1202, Lot 10 and 152 Brace Lane, Block 1202, Lot 8 was offered by Mr. Barton, seconded by Mr. Yates and approved by the following roll call vote; Barton, Lee, Yates, Franzen; yea Brown; absent

#### RESOLUTION 2015-143:

# ACCEPTING BID AND AWARDING CONTRACT FOR THE PURCHASE OF A 39,000 GVW DUMP TRUCK WITH PLOW HITCH, SANDER AND SPRAY SYSTEM.

WHEREAS, the Township of Tabernacle, pursuant to the public contract law, received bids for the purchase of a 39,000 GVW dump truck with plow hitch, sander and spray system for the Township's use on October 21, 2015; and

WHEREAS, Robert H. Hoover & Sons, Inc. of 1504 Mainline Drive, Cinnaminson, NJ 08077, was the only bidder who submitted bids to the Township, with a lump sum bid in the amount of \$166,889.00; and

WHEREAS, the bid of Robert H. Hoover & Sons, Inc. complied with the bid specifications as prepared by the Township and is a conforming and qualified bid; and

WHEREAS, there are sufficient funds available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Tabernacle this 26th day of October, 2015, that Robert H. Hoover & Sons, Inc., be and hereby is awarded the bid for the purchase of one 39,000 GVW dump truck with plow hitch, sander and spray system for the Township's use.

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to execute the contract after review and approval by the Township Solicitor, as well as, any other related documents necessary and incidental to the purchase in order to complete said purchase.

• The above Resolution was offered upon a motion by Mr. Lee, seconded by Mr. Yates and adopted by the following roll call vote; Barton, Lee, Yates, Franzen; yea Brown; absent

#### **RESOLUTION 2015-144:**

# ACCEPTING BID AND AWARDING CONTRACT FOR THE PURCHASE OF A 19,000 GVW 4WD DUMP TRUCK WITH PLOW SANDER AND SPRAY SYSTEM.

WHEREAS, the Township of Tabernacle, pursuant to the public contract law, received bids for the purchase of a 19,000 GVW 4 WD dump

truck with plow sander and spray system for the Township's use on October 21, 2015; and

WHEREAS, Hunter Keystone Peterbilt, LP doing business as Hunter Truck Sales and Service of 2320 High Hill Road, Swedesboro, Cinnaminson, NJ 08085, was the only bidder who submitted bids to the Township, with a base bid in the amount of \$118,600.00 and specified options for a total bid amount of \$124,045.00; and

WHEREAS, the bid of Hunter Keystone Peterbilt, LP doing business as Hunter Truck Sales and Service complied with the bid specifications as prepared by the Township and is a conforming and qualified bid; and

WHEREAS, there are sufficient funds available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Tabernacle this 26th day of October, 2015, that Hunter Keystone Peterbilt, LP doing business as Hunter Truck Sales and Service, be and hereby is awarded the bid for the purchase of one 19,000 GVW 4 WD dump truck with plow sander and spray system for the Township's use.

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to execute the contract after review and approval by the Township solicitor, as well as, any other related documents necessary and incidental to the purchase in order to complete said purchase.

• The above Resolution was offered upon a motion by Mr. Barton, seconded by Mr. Yates and adopted by the following roll call vote; Barton, Lee, Yates, Franzen; yea

Brown; absent

MOTIONS: Approval for the NJ State Firemen's Association Membership application for Tabernacle Fire Company No. 1 for Sean W. Colton and Michael J. Lichty was offered upon a motion by Mr. Yates, seconded by Mr. Barton and adopted by the following roll call vote; Barton, Lee, Yates, Franzen; yea Brown; absent

MOTIONS: Approval of Parade Permit for 2015 Pine Barrens 500/Adventure Ride on November 14-15, 2015 was offered upon a motion by Mr. Barton, seconded by Mr. Lee and adopted by the following roll call vote; Barton, Lee, Yates, Franzen; yea Brown; absent

## Dublic comment

Stu Rubin, Hawkins Road/Fire Company Member, spoke about a denied insurance claim which stemmed from an incident that happened to him on the way to a fire call. He received a call from the insurance advising of no coverage for the claim and was advised to go to his own insurance. Mr. Cramer will talk to the adjuster to see about the situation.

Stuart Brooks, Moores Meadow Road, complimented on the Township Committee's deliberations and fully supports Mr. Lee's comment to include the volunteers. He felt that they missed a great opportunity not putting a member of the public on the sub-committee.

John Cooper, Woodside Drive, commented that no one from the fire department was present to represent the fire department. He also commented on Mr. Yates suggestion to combine the volunteer services, as there being a reason why the two organizations are separate.

Fran Brooks, Moores Meadow Road, spoke about the discussions of the subcommittee and suggested that they do the deliberations in public. She questioned Mr. Lange's invoice and the purpose of the review of her forestry application.

Solicitor Lange questions if Ms. Brooks wants to know his discussions that he has with his client.

Jason Litowitz, Horseshoe Court, spoke of standing in the back of the room for not wanting his son on video camera and asked for the curtesy. He wants the Township Committee to keep in mind that merging fire and rescue squads would be a huge cost and understanding how the OPRA law applies to the rescue squad and the determination whether fire companies are subject to OPRA.

Kathy Burger, Woodside Drive, suggested the Committee extend another month beyond the sixty days because it is not ample time for the subcommittee to explore combining emergency services. Ms. Burger felt the Committee should deal with the existing agreement. Ms. Burger offered her services for the sub-committee and thanked Township Committee for their open discussion. It was welcoming, refreshing and hopes to move forward.

George Jackson, Tabernacle Rescue, spoke of the agreement with Shamong Township was not a mutual aid agreement over billing. Tabernacle Township signed a mutual aid agreement with Tabernacle Rescue Squad. Essentially it was set up so that we do not balance bill our residents; we are allowed to do that for our mutual aid partners. If Shamong Township does not bill our residence, we do not bill their residents. We signed a written agreement with Shamong Township, which has since expired. Now we went back to balance billing their residents. Tabernacle Township never went billing, so they are not balance billing their residence. Mr. Jackson apologized for not coming to the Committee for this particular matter, since he was under the impression that in previous discussions have mentioned it, obviously did not explain it well enough. The other reason why we did not come in a public forum to describe a lot of thing that went on was because unfortunately, we were

involved in litigation. It was an attempt to do a neighborly thing, we wanted to foster that and continue. As for the sub-committee, Mr. Jackson indicated that he would be happy to meet and move forward.

#### Best Practices

Chief Finance Officer Henry spoke about the fifty questionnaires Best Practice Worksheet. He and the Township Administrator reviewed the questions as we are required to mention it at a meeting. Our score was 90% which means nothing was withheld from our final State Aid payment. The Best Practices Worksheet is posted on the Township website and a written copy is on file as required in the Municipal Clerk's office.

#### **Report of the Township Engineer**

Mr. Morris reported that Arawak Paving has started the Lake View and Spring Drive paving project working on the utility and drainage work followed by paving.

Mr. Morris reported that American Asphalt (NJDOT Project) for the Medford Lakes Road Project will start next week for utility and drainage work followed by paving.

Mr. Morris reported submitting 2016 NJDOT application for Oakshade Road that was due on October 20<sup>th</sup>.

#### **Report of the Township Administrator**

Household Hazarded Waste Collection – Mr. Cramer reported the collection was held on October 17<sup>th</sup> and will be held in Tabernacle again next year in January. The County will no longer stay open until 2pm on Saturdays for us to bring our materials in. Tabernacle is keeping the same hours of 9 am to noon. We will take the materials to the landfill on Tuesday.

Patty Bowker Park - Some bleachers were installed at Patty Bowker and it will be a number of weeks to get them assembled.

Brush Pick up - The brush pick up is completed and we collected a little over three thousand yards of chips which converts to about twelve or thirteen yards of brush. We have turned in our final FEMA paperwork.

Township Buildings – The siding on the Town Hall building was repaired due to the June 23<sup>rd</sup> storm and we received two quotes for the roof on the pepper house. One quote was received for the heater for the community center; a second one will be received hopefully next week. Mr. Cramer spoke of obtaining proposals to move forward with alarm and security cameras for Township buildings.

## Report of the Township Solicitor

Rental Property Ordinance – Mr. Lange revisited the rental property ordinance discussion and spoke of the last meeting direction by the Township Committee to prepare an Ordinance repealing. In further discussion with the Township Administrator, the decision does not say you cannot register, but licensing implies the charging of a fee. Work is performed by the Construction Official to offset the licensing fees collected. There may be a way to modify the ordinance as opposed to repealing; which would require a registration and inspection. Further discussion will need to be held with the successor of Mr. Perri to exercise control, leave some requirements on the books and allow portions of this ordinance to survive without collecting a fee.

Mr. Cramer spoke of having interviews tomorrow with applicants for the position in the construction office.

#### Report of the Township Committee

Committeeman Barton thanked Mr. Lange for educating the Township regarding the rental ordinance and on the NJLM Legislative Advisory on the Timber Glenn Case and statute. Short of an inspection we do not know if there are smoke detectors working, heaters or stoves, or if the windows open.

Mr. Barton thanked Chief Jackson and President Wood for explaining the agreement with Shamong Township.

Committeeman Lee reminded everyone about the Boys Scout fundraising event. They will hold their first pancake breakfast, Saturday, November 7<sup>th</sup>, between the hours of 8am to noon at the firehouse.

Mr. Lee spoke about the NJDEP Motorized Access Plan. He had conversations over the last week getting feedback from residents, NJDEP and individuals with land interest within the Pinelands. Mr. Lee opinioned to wait until after the public hearing in Hammonton to see the direction before any action is taken.

Mr. Lee spoke about the public comment portion made by Mr. Litowitz while being videotaped by Ms. Brooks. He spoke of his disappointment of not being appropriate, even though he understands the rights of videotaping at public meetings. Mr. Litowitz has the right to not have his child videotaped and the right to make a public comment, as anyone else. It was disappointing to watch the exchange.

Committeeman Yates thanked everyone entertaining the thought and idea of a global union volunteer base and looks forward to the subcommittee. Mr. Yates indicated that he will ask for impute from the general public, but does not want a shouting match. The goal is to bring organizations together and try to save taxpayers money.

Deputy Mayor Franzen spoke on the videotaping incident and apologized to Jason Litowitz that the governing body was unable to change things.

Mr. Franzen spoke about a Committee composed of a few organizations actively working on the December 4<sup>th</sup>, invitation for the Tree Lighting Ceremony. Invitation was extended to all children to see Santa Clause.

Mr. Franzen spoke that he and Mr. Barton recently co-chaired a sub-committee on facilities for the Township that has been in the works for over a year with the Township staff. They invited about 15 leaders of the community organizations to talk about buildings in town, use and change. There seems to be a consensus to remove public works to another location. Mr. Franzen invited people of interest to bring their comments to their attention.

#### **Adjournment**

There being no further comments or business to come before the Township Committee at this time, the meeting was adjourned at 10:56 p.m. The motion was made by Mr. Barton, seconded by Mr. Yates and approved by the following roll call vote: Barton, Lee, Yates, Franzen; aye. Brown: absent.

Respectfully submitted,

La Shawn R. Barber, RMC/CMR Municipal Clerk

• Approved: 12/30/2015